

MINUTES OF SEA CLIFF VILLAGE BOARD
APRIL 9, 2012

The meeting of the Incorporated Village of Sea Cliff was held on Monday, April 9, 2012 at 7:30 p.m. at Village Hall, to discuss various Village matters.

Present: Bruce Kennedy, Mayor
 Carol Vogt, Village Trustee
 Thomas Powell, Trustee
 Peter Hayes, Village Trustee
 Thomas Murphy, Village Trustee
 Marianne Lennon, Village Clerk
 Brian Stolar, Village Attorney

Edward Lieberman led the Assembly in the Pledge of Allegiance.

Public Hearing on the 2012/2013 Tentative Budget

Mayor Kennedy gave a presentation on the budget twice, once at 7:30pm and again at 8:05pm after more residents arrived.

The Public Hearing was opened for public comment. There were questions from residents regarding specific budget lines.

On a motion by Trustee Hayes, seconded by Trustee Vogt and unanimously approved by those present, the Public Hearing was closed.

On a motion by Trustee Vogt, seconded by Trustee Hayes and unanimously approved by those present, the Minutes of April 2, 2012 were approved.

On a motion by Trustee Vogt, seconded by Trustee Murphy and unanimously approved by those present, the Mayor was authorized to sign a Professional Services Agreement for the 2012 Hempstead Harbor Water-Monitoring Program.

Mayor Kennedy offered the following resolutions for adoption:

RESOLUTION NO. 31, YEAR 2012

RESOLVED, that upon receipt of an executed Stipulation of Settlement from the attorney for the following property owner confirming the settlement listed below, that the following tax certiorari proceeding be settled as indicated below, and that the Law Office of Richard Siegel, acting as Village Attorney in this proceeding, be and it hereby is authorized to execute a Stipulation of Settlement and other documents as required to effect the settlement in accordance with the following schedule:

76 Summit Avenue, Sec. 21, Block 127, Lot 9, Years Settled 2008/09 to 2012/13

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Total Refund Amount: \$2,300.00; Reduction in assessed value: 36,300.00;
New Assessed Value: \$570,000.00

and, be it further

RESOLVED, that the Village Treasurer be and she hereby is authorized and directed to pay the refund amount indicated in accordance with the Stipulation of Settlement and Court Order; **and, be it further**

RESOLVED, that upon receipt of an executed Stipulation of Settlement and Order of the Nassau County Supreme Court, the Village Assessor be and he hereby is authorized and directed to reduce and set the assessed value of the above property for the 2013/14 Tax Year in accordance with the above schedule and the Stipulation of Settlement.

Trustee Vogt seconded the resolution. The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

Trustee Vogt	voting	aye
Trustee Powell	voting	aye
Trustee Hayes	voting	aye
Trustee Murphy	voting	aye
Mayor Kennedy	voting	aye

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 32, YEAR 2012

WHEREAS, the Board of Trustees is considering the adoption of **Bill No. 7, Year 2011**: a local law to override the tax levy limit established in General Municipal Law 3-c for fiscal year 2012/2013.

NOW, THEREFORE, BE IT RESOLVED, that the following Local Law, introduced as Bill No. 7, Year 2011, be adopted as follows:

TEXT OF BILL
Incorporated Village of Sea Cliff
Local Law No. 1, Year 2012

A local law in accordance with General Municipal Law §3-c to override the tax levy limit for fiscal year 2012/2013.

Section 1. Legislative Intent.

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It is the intent of this local law to permit the Village of Sea Cliff to adopt a budget for the 2012/2013 fiscal year that may provide for a real property tax levy in excess of the tax levy limit as defined in General Municipal Law §3-c.

Section 2. Authority.

This local law is adopted pursuant to subdivision 5 of General Municipal Law §3-c, which expressly authorizes the Village Board of Trustees to override a tax levy limit by adoption of a local law approved by a vote of sixty percent (60%) of the Board of Trustees.

Section 3. Tax Levy Limit Override.

The Board of Trustees of the Village of Sea Cliff, County of Nassau, is hereby authorized to adopt a budget for the 2012/2013 fiscal year that provides for a real property tax levy in excess of the tax levy limit otherwise prescribed by General Municipal Law §3-c.

Section 4. Severability.

If any clause, sentence, paragraph, subdivision, or part of this local law or the application thereof to any person, firm, corporation, or circumstance, shall be adjudged by any Court of competent jurisdiction to be invalid or unconstitutional, such Order or Judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this local law or in its application to the person, individual, firm, corporation or circumstance, directly involved in the controversy in which such Judgment or Order shall be rendered.

Section 5. Effective Date.

This local law shall take effect immediately.

Mayor Kennedy moved the adoption of the foregoing resolution and seconded by Trustee Hayes. All present voted in favor of the motion and the resolution was duly adopted.

RESOLUTION NO. 33, YEAR 2012

RESOLVED, that the Village Tax Roll and Warrant for the fiscal year 2012-2013 was filed with the Village Treasurer on April 6, 2012 and the Base Proportions set at:

Homestead – 80.3608%

Non-Homestead – 19.6392%

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Trustee Vogt moved the adoption of the foregoing resolution, seconded by Trustee Murphy and unanimously approved by those present.

RESOLUTION NO. 34, YEAR 2012

WHEREAS, the Board of Trustees of the Incorporated Village of Sea Cliff, has met at the time and place specified in the Notice of Public Hearing on April 09, 2012 on The Tentative Budget, and heard all persons desiring to be heard thereon, now therefore be it,

RESOLVED, that the Tentative Budget, as hereinafter set forth, is hereby adopted, and that the several amounts stated be, and they hereby are, appropriated for the objects and purposes specified and the salaries and wages, as provided for in said budget, shall be and are hereby fixed at the amounts shown therein, effective June 1, 2012, and be it,

FURTHER RESOLVED, that this resolution shall become effective at the expiration of the time required for filing with the State Comptroller of the State of New York of the statement of the estimated amount of real estate taxes to be levied on account of such budget as required by the State Finance law.

Mayor Kennedy moved the adoption of the foregoing resolution and seconded by Trustee Hayes.

The vote on the question of the adoption of the foregoing resolution was taken by ayes and noes and was as follows:

Trustee Hayes	Voting	Aye
Trustee Powell	Voting	Aye
Trustee Vogt	Voting	Aye
Trustee Murphy	Voting	Aye
Mayor Kennedy	Voting	Aye

The resolution was declared duly adopted.

RESOLUTION NO.35, YEAR 2012

WHEREAS, the Board of Trustees of the Incorporated Village of Sea Cliff, Nassau County, New York has prepared, after public hearing pursuant to notice duly posted and published according to law, has completed and adopted its annual budget for the 2012-2013 fiscal year;

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NOW, THEREFORE, BE IT RESOLVED, that the taxes of the Incorporated Village of Sea Cliff, Nassau County, New York, for the 2012-2013 year be levied in the sum of \$4,739,396.00 (four million, seven hundred and thirty-nine thousand, three hundred and ninety-six dollars and zero cents) to be split between Homestead, at a rate of \$3.8555 on each one thousand dollars of assessed valuation; and Non-Homestead, at a rate of \$10.9415 on each one thousand dollars of assessed valuation, and that the assessment roll be completed accordingly; and be it further

RESOLVED, that the Mayor be and he hereby is authorized and directed to sign the proper warrant directed to the Collector of Taxes commanding said Collector to collect said taxes, and to attest same with proper seal of the Village of Sea Cliff and deliver said warrant to the Clerk of the Village; and be it further

RESOLVED, that the Village Clerk be and she hereby is directed to publish notice of the collection of taxes in the official paper of the Village in the issues of April 12, 2012 and April 19, 2012 and cause the required number of said notices to be posted in at least six conspicuous places in the Village pursuant to law; such notices shall state that such tax roll and warrant have been left with said Collector of Taxes for collection; designate the Village Hall as the place where the Collector of Taxes will receive taxes from one o'clock in the afternoon until eight o'clock in the evening on Mondays except on such days or times that the Village Hall Offices may be closed, and from nine o'clock in the morning until four o'clock in the afternoon on Tuesdays through Fridays except on holidays or such other days or times that the Village Hall Offices may be closed; that one-half of all taxes on real estate shall be due and payable on the first day of June 2012 and the remaining and final half shall be due and payable on the first day of December 2012; that taxes due June 1, if paid on or before July 2, no penalty will be added; if paid after July 2, a penalty of 5% shall be payable for the month of June, and thereafter interest will be added monthly or for any fraction thereof from July 3, until paid at the current rate in effect as set by the State Commissioner of Taxation and Finance as prescribed in subdivision 2 of Section 924-a of the New York State Real Property Tax Law; and that taxes due on December 1, if paid on or before January 2, 2013 no penalty will be added; if paid after January 2, 2013, a penalty of 5% shall be payable for the month of December, and thereafter interest will be added monthly or for any fraction thereof from January 3, 2013 until paid at the current rate in effect as set by the State Commissioner of Taxation and Finance as prescribed in subdivision 2 of Section 924-a of the New York Real Property Tax law; and it is

FURTHER RESOLVED, that the Collector of Taxes mail to all persons whose property appears on the tax roll, at their last known post office address, a statement of the tax rate, the assessment and the amount of tax due on the property described in such notice and the time and place at which the same may be paid.

Mayor Kennedy moved the adoption of the foregoing resolution and seconded by Trustee Powell.

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The question of the foregoing resolution was duly put to vote on roll call, which resulted as follows:

Trustee Hayes	Voting	Aye
Trustee Powell	Voting	Aye
Trustee Vogt	Voting	Aye
Trustee Murphy	Voting	Aye
Mayor Kennedy	Voting	Aye

The resolution was declared duly adopted.

On a motion by Mayor Kennedy, seconded by Trustee Hayes and unanimously approved, the Board went into Executive Session to discuss potential transfer of real estate, where a public discussion could negatively impact negotiations.

On a motion by Trustee Hayes, seconded by Trustee Murphy and unanimously approved, the Board came out of Executive Session.

Meeting adjourned at 9:50 p.m.

